

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
JEFFREY S. ROBERIO,  
Petitioner,

v.

\_\_\_\_\_  
TIMOTHY HALL,  
Respondent.  
\_\_\_\_\_

Civil Action No. 03-12624-DPW

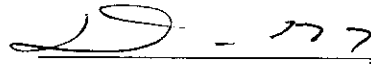
**MOTION FOR ENLARGEMENT OF TIME  
TO FILE A RESPONSIVE PLEADING TO THE  
PETITION FOR WRIT OF HABEAS CORPUS**

The respondent, through counsel, hereby respectfully requests that this Court grant him an enlargement of time within which he must file a responsive pleading to the instant petition for a writ of habeas corpus, from February 4, 2004, to April 8, 2004. In support of the motion, the respondent states that, due to the press of a number of other matters, including: filing a Motion to Stay the Mandate and a Memorandum of Law in support thereof in the First Circuit in *Norton v. Spencer*, No. 03-1571, on December 4, 2003; preparing a petition for certiorari to the United States Supreme Court in *Spencer v. Norton*, No 04-\_\_\_\_\_, to be filed on or before March 2, 2004; filing responsive pleadings in the United States District Court in *Dyous v. Maloney*, No. 03-11587-RGS, on December 12, 2003; filing emergency motions to quash trial subpoenas on behalf of the Attorney General of Massachusetts, Tom Reilly, the former Attorney General, Scott Harshbarger, and the former District Attorney for the Suffolk District, Ralph C. Martin, in the Boston Municipal Court, in *Commonwealth v. Strahan*, No. 9901CR2875, on January 2, 2004, and arguing said motions on

January 5, 2004; oral argument in the United States Court of Appeals for the First Circuit in *DeCicco v. Spencer*, No. 03-1570, on January 6, 2004; a hearing on defendant's motion to dismiss in Suffolk Superior Court in *Harley v. Kelley, et. al.*, No SUCV2002-04655, on January 13, 2004; filing a motion to quash a subpoena directed to the District Attorney for Middlesex County in the United States District Court in *Curley v. NAMBLA*, No. 00-CV-10956-GAO on February 6, 2004; filing an opposition to a petition pursuant to G.L. c. 211, § 3, in the Single Justice Session of the Supreme Judicial Court in *District Attorney for the Norfolk District v. Quincy Division of the District Court Department*, No. SJ-2004-0011, on or before February 12, 2004, with anticipated argument on February 18; filing an opposition to a motion for a preliminary injunction in Suffolk Superior Court in *Darren Stokes v. Barry Lacroix, et al.*, No. 04-0443-A, on or before February 17, 2004, with argument on February 19, 2004; and preparing several Memoranda of Law in opposition to defense motions in Norfolk Superior Court in *Commonwealth v. Timothy White*, No. CR03-0154-001-012, for a hearing on February 23, 2004, the undersigned assistant attorney general requires the additional time to prepare an adequate opposition to the instant petition.

WHEREFORE, the respondent respectfully requests that this Court grant him until April 8, 2004 to file a responsive pleading to the petition for writ of habeas corpus.

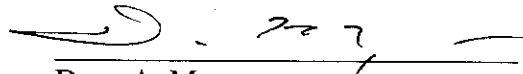
Respectfully submitted,  
THOMAS F. REILLY  
ATTORNEY GENERAL

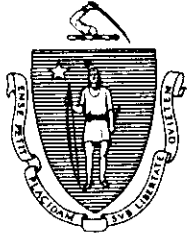
  
\_\_\_\_\_  
Dean A. Mazzone  
Assistant Attorney General  
Criminal Bureau  
One Ashburton Place  
Boston, Massachusetts 02108  
(617) 727-2200 ext. 2852  
BBO No. 640866

Dated: February 13, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served on the petitioner, pro se, addressed as follows: Jeffrey S. Roberio, Old Colony Correctional Center, 1 Administration Road, Bridgewater, MA, 02324, by first class mail, postage prepaid, on February 13, 2004.

  
\_\_\_\_\_  
Dean A. Mazzone



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108-1598

THOMAS F. REILLY  
ATTORNEY GENERAL

(617) 727-2200  
www.ago.state.ma.us

February 13, 2004

Anthony Anastas, Clerk  
United States District Court  
District of Massachusetts  
1 Courthouse Way, Suite 2300  
Boston, MA 02210

Re: ***Jeffrey S. Roberio v. Timothy Hall***  
Civil Action No. 03-12624-DPW

Dear Mr. Anastas:

Enclosed for filing in the above-referenced case please find the respondent's, motion to enlarge time to respond to petition for writ of habeas corpus, and certificate of service.

Thank you very much for your assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to read "D. Mazzone".

Dean A. Mazzone  
Assistant Attorney General  
(617) 727-2200, ext. 2852

Enclosures

cc: Jeffrey S. Roberio

